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8 **UNITED STATES DISTRICT COURT**
9
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

Case No. 2:22-MJ-00088-EJY

12 Plaintiff,

STIPULATION TO CLOSE CASE

13 v.

14 SEAN MATHES,

15 Defendant.

16
17 IT IS HEREBY STIPULATED AND AGREED by and between Jason M. Frierson,
18 United States Attorney, and Christopher Burton, Assistant United States Attorney, counsel for
19 the United States of America, and Rene L. Valladares, Federal Public Defender, and Aden
20 Kebede, Assistant Federal Public Defender, that Defendant shall be allowed to withdraw his
21 guilty plea to Count One of the Complaint—Operating a Motor Vehicle while Under the
22 Influence of Alcohol, a violation of 36 C.F.R. § 4.23(a)(1), a Class B misdemeanor. The
23 Government further agrees to amend Count One to a charge of Reckless Driving, a violation of
24 36 CFR § 4.2 and N.R.S. 484B.653. Defendant's guilty plea shall be entered to the amended
25 charge of Reckless Driving, a violation of 36 CFR § 4.2 and N.R.S. 484B.653, with both parties
26 agreeing the original sentence should stand, and the case should be closed.

1 This Stipulation is entered into for the following reasons:

2 1. On June 22, 2022, Defendant entered a plea of guilty plea to Count One of the
3 Complaint—Operating a Motor Vehicle while Under the Influence of Alcohol, a violation of
4 36 C.F.R. § 4.23(a)(1), a Class B misdemeanor. *See*, ECF No. 12.

5 2. Following the parties' recommendations, Defendant was sentenced by this
6 Honorable Court to unsupervised probation for a period of one year with special conditions, to
7 include that:

8

- 9 a. The Defendant pay a mandatory \$10 penalty assessment;
- 10 b. The Defendant attend and complete the Lower Court Counseling's (1) DUI
11 course and (2) Victim Impact Panel;
- 12 c. The Defendant successfully complete a substance abuse course.
- 13 d. The Defendant not return to Lake Mead National Recreation Area for a period
14 of six months;
- 15 e. The Defendant not violate any local, state, or federal laws. *See*, ECF No. 11.

16 3. The plea agreement further stipulated that should the Defendant successfully
17 complete the foregoing conditions within the first six months of his unsupervised probation,
18 and has not violated any local, state, or federal laws during the first six months of his
19 unsupervised probation, Defendant shall be allowed to withdraw his guilty plea to Count One
20 of the Complaint—Operating a Motor Vehicle while Under the Influence of Alcohol, a violation
21 of 36 C.F.R. § 4.23(a)(1), a Class B misdemeanor. The Government agreed to amend Count
22 One to a charge of Reckless Driving, a violation of 36 CFR § 4.2 and N.R.S.
23 484B.653. Defendant shall be permitted to enter a plea of guilty to the amend Count One charge

of Reckless Driving, a violation of 36 CFR § 4.2 and N.R.S. 484B.653 with both parties recommending the original sentence be imposed as to the amended charge and the case closed.

4. The Defendant has completed all of his requirements within six months (*See, Ex. A attached hereto*).

5. The Defendant has not violated any local, state, or federal laws during the first six months of his unsupervised probation.

DATED this 15th day of December, 2022.

RENE L. VALLADARES
Federal Public Defender

JASON FRIERSON
United States Attorney

By /s/ Aden Kebede
ADEN KEBEDE
Assistant Federal Public Defender

By /s/ Christopher Burton
Christopher Burton
Assistant United States Attorney

IT IS SO ORDERED.

Elayna L. Zouchal
U.S. MAGISTRATE JUDGE

Dated: December 15, 2022